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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,258	10/16/2003	Julianne Frances Haugh	AUS920030712US1	9976
35525	7590	11/26/2007		
IBM CORP (YA) C/O YEE & ASSOCIATES PC P.O. BOX 802333 DALLAS, TX 75380			EXAMINER TO, BAOTRAN N	
			ART UNIT 2135	PAPER NUMBER
			MAIL DATE 11/26/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/687,258

Applicant(s)

HAUGH ET AL.

Examiner

Bao tran N. To

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08/29/2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office action is responsive to the Applicant's Appeal Brief filed 08/29/2007. Claims 1-20 are pending in the application.

Response to Arguments

2. An appeal conference has met and fully considered applicants' remarks in the Appeal Brief. The Conferees agreed with the applicants on the argument on the page 10 that the combination of Gai and Bradley does not teach "associating two or more access control lists with a given file system object in a heterogeneous filesystem," as in claim 1. However, Hitz explicitly discloses "associating two or more access control lists with a given file system object in a heterogeneous filesystem." Therefore, Hitz reference is maintained in this rejection and in view of a newly found prior art. Examiner provides a new ground of rejection below for claims 1-20.

Reopening of Prosecution - New Ground of Rejection After Appeal or Examiner's Rebuttal of Reply Brief In view of the Appeal Brief filed on 08/29/2007, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below. To avoid abandonment of the application, appellant must exercise one of the following two options: (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or, (2) request reinstatement of the appeal. If reinstatement of the appeal is requested v such request must be

Art Unit: 2135

accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b) (2).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hitz et al. (U. S. Patent No. 6,457,130 B2) cited in IDS dated 10/16/03 hereinafter Hitz in view of Montague et al. (U. S. Patent No. 5,761,669) hereinafter Montague.

Regarding Claims 1 and 20, Hitz discloses a method for managing access control lists in a filesystem (Figure 1), the method comprising:

associating two or more access control lists (first access control model and second access control model) with a given filesystem object, (Figure 1, element 112) in a heterogeneous filesystem (e.g., system 100, col. 1, lines 40-65), wherein the heterogeneous filesystem (Figure 1, element 100) comprises two or more differing types of filesystems (e.g., UNIX and NT) (Figure 1) (col. 4, lines 7-11);

responsive to receiving, from a requestor (Figure 1, element 120), a request (Figure 1, element 121) for an access control list associated with the given filesystem

Art Unit: 2135

object (Figure 1, element 112) (col. 3, line 62 – col. 4, lines 11), determining a filesystem type of the requester (col. 3, lines 44-51 and col. 5, lines 35-67).

Hitz does not disclose "returning an access control list from the two or more access control lists for the given filesystem object matching the filesystem type of the requestor."

However, Montague expressly discloses returning an access control list from the two or more access control list for the given filesystem object matching the filesystem type of the requestor (Figures 2 and 11, col. 3, lines 17-25 and col. 15, lines 10-17).

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have incorporated Montague's invention within Hitz to include returning an access control list from the two or more access control lists for the given filesystem object matching the filesystem type of the requestor. One of ordinary skill in the art would have been motivated to do this because it would provide controlling access to objects on a network (Montague, col. 1, lines 14-15).

Regarding Claim 11, Hitz discloses a filesystem, wherein the file system is a heterogeneous filesystem, (Figure 1, e.g., UNIX and NT), and wherein the filesystem includes a plurality of differing filesystem types and a plurality of access mechanisms (Figure 1, e.g., UNIX and NT) (col. 4, lines 7-11) and wherein each access mechanism of the plurality of access mechanisms is associated with a filesystem type (Figure 1, col. 3, line 62 – col. 4, lines 11);

Art Unit: 2135

a file storage (Figure 1, element 111), wherein the file storage has stored therein at least one filesystem object (Figure 1, element 112) and wherein a given filesystem object within the at least one filesystem object has associated therewith two or more access control lists (first access control model and second access control model) (col. 1, lines 40-65); wherein the filesystem, responsive to receiving from a requester a request for an access control list associated with the given filesystem object (Figure 1, element 120) (col. 3, line 62 – col. 4, lines 11), determines a filesystem type of the requester (col. 3, lines 44-51 and col. 5, lines 35-67).

However, Montague expressly discloses returning an access control list from the two or more access control list for the given filesystem object matching the filesystem type of the requestor (Figures 2 and 11, col. 3, lines 17-25 and col. 15, lines 10-17).

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have incorporated Montague's invention within Hitz to include returning an access control list from the two or more access control lists for the given filesystem object matching the filesystem type of the requestor. One of ordinary skill in the art would have been motivated to do this because it would provide controlling access to objects on a network (Montague, col. 1, lines 14-15).

Regarding Claims 2 and 12, Hitz and Montague disclose the limitations of Claims 1 and 11 above. Hitz and Montague further disclose determining whether an access control list matching the filesystem type of the requestor exists (col. 5, lines 13-21); and

Art Unit: 2135

responsive to a determination that a matching access control list exists, returning the matching access control list (Montague, col. 3, lines 17-25).

Regarding Claims 3 and 13, Hitz and Montague disclose the limitations of Claims 2 and 12 above. Hitz further discloses wherein the step of returning the matching access control list (col. 5, lines 35-67), includes accessing the matching access control list using an access mechanism (col. 5, lines 35-67) associated with the filesystem type of the requestor (col. 5, lines 35-67).

Regarding Claims 4 and 14, Hitz and Montague disclose the limitations of Claims 2 and 12 above. Hitz further discloses responsive to a determination that a matching access control list does not exist, responsive to a determination that a matching access control list does not exist (col. 6, lines 1-2), providing a new access control list for the filesystem type of the requestor (col. 8, lines 26-34, new access control limits); and returning the new access control list (col. 8, lines 12-16; 35-40; and lines 60-62).

Regarding Claims 5 and 15, Hitz and Montague disclose the limitations of Claims 4 and 14 above. Hitz further discloses wherein the step of returning the new access control list (col. 8, lines 12-16; 35-40; and lines 60-62) includes accessing the new access control list (see col. 8, lines 26-29; "When the file has its access control limits modified") using an access mechanism associated with the filesystem type of the requestor (see col. 4, lines 8-11 & lines 43-56, ACE-access control entries).

Regarding Claims 6 and 16, Hitz and Montague disclose the limitations of Claims 4 and 14 above. Hitz further discloses wherein the step of providing a new access control list for the filesystem type of the requester (col. 8, lines 26-34, new access control limits) includes translating an existing access control list to the filesystem type of the requester (col. 6, lines 1-10).

Regarding Claims 7 and 17, Hitz and Montague disclose the limitations of Claims 4 and 14 above. Hitz further discloses wherein the step of providing a new access control list for the filesystem type of the requester (col. 8, lines 26-34, new access control limits) includes providing a default access control list for the filesystem type of the requester based on rules associated with the filesystem (col. 6, lines 10-13).

Regarding Claims 8 and 18, Hitz and Montague disclose the limitations of Claims 1 and 11 above. Hitz further discloses wherein the step of associating two or more access control lists with a given filesystem object (col. 1 lines 50-65) includes storing the two or more access control lists in file storage (Fig. 1, element 111) with the given filesystem object (Fig. 1, element 112).

Regarding Claims 9 and 19, Hitz and Montague disclose the limitations of Claims 1 and 11 above. Hitz further discloses wherein the step of associating two or more access control lists with a given filesystem object (e.g., system 100, col. 1, lines 40-65);

Art Unit: 2135

storing a native access control list (see col. 4, lines 8-11, "NT ACL") in file storage (see Fig. 1, element 112; col. 4, lines 43-48, NT security style) with the given filesystem object and storing one non-native access control list (see col. 4, lines 8-11, "Unix Perms") in access control list storage separate from the file storage (see col. 4, lines 8-25, Unix security style).

Regarding Claim 10, Hitz and Montague disclose the limitations of Claim 9 above. Hitz further discloses wherein an access control list storage (see Fig. 1, element 111) is provided an for each directory, each filesystem, or for each portion of a file system (col. 10, lines 25-40).

Contact Information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bao Tran N. To whose telephone number is 571-272-8156. The examiner can normally be reached on Monday-Friday from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2135

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BT
11/14/2007



KIM VU
PATENT EXAMINER
EBC CENTER 2100